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Attorney for Defendant  
EBONY L. PIPKINS

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. Cr. S 05-122 GEB
	)	
Plaintiff,	)	<b>STIPULATION AND [lodged] ORDER TO</b>
	)	<b>REDUCE SENTENCE PURSUANT TO 18</b>
v.	)	<b>U.S.C. § 3582(c)(2)</b>
	)	<b><u>RETROACTIVE CRACK COCAINE REDUCTION</u></b>
EBONY L. PIPKINS,	)	<b><u>CASE</u></b>
	)	
Defendant.	)	Date: June 6, 2008
	)	Time: 9:00 a.m.
_____	)	Judge: Hon. GARLAND E. BURRELL, Jr.

Defendant, EBONY L. PIPKINS, by and through her attorney,  
Assistant Federal Defender David M. Porter, and plaintiff, UNITED  
STATES OF AMERICA, by and through its counsel, Assistant U.S. Attorney  
Anne E. Pings, hereby stipulate as follows:

1. Pursuant to 18 U.S.C. § 3582(c)(2), this court may reduce the  
term of imprisonment in the case of a defendant who has been sentenced  
to a term of imprisonment based on a sentencing range that has  
subsequently been lowered by the Sentencing Commission pursuant to 28  
U.S.C. § 994(o);

2. The sentencing range applicable to Ms. Pipkins was  
subsequently lowered by the United States Sentencing Commission in  
Amendment 706 by two levels;

3. Accordingly, Ms. Pipkins's sentencing range has been reduced from 33 to 31, and the parties agree that an appropriate sentence in light of all the circumstances and taking into consideration the departure she received at the original sentencing would be 108 months;<sup>1</sup>

4. Ms. Pipkins merits a reduction in his sentence based on the factors listed in 18 U.S.C. § 3553(a), as well as considerations of public safety and Ms. Pipkins's positive post-sentencing conduct;

5. Accordingly, the parties request the court to enter the order lodged herewith reducing Ms. Pipkins's term of imprisonment to 108 months.

Dated: May 9, 2008

Respectfully submitted,

McGREGOR SCOTT  
United States Attorney

DANIEL J. BRODERICK  
Federal Defender

/s/ Anne E. Pings  
ANNE E. PINGS  
Assistant U.S. Attorney

/s/ David M. Porter  
DAVID M. PORTER  
Assistant Federal Defender

Attorney for Plaintiff  
UNITED STATES OF AMERICA

Attorney for Movant  
EBONY L. PIPKINS

**ORDER**

This matter came before the Court on the pro se motion of the defendant for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2) filed on March 26, 2008. The motion was set for hearing on June 6, 2008, but because the parties have stipulated to the resolution, the matter is taken off calendar.

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<sup>1</sup> If the Court is not inclined to resentence at the term recommended by both parties, the government and the defendant request that oral presentations be heard by the Court on June 6, 2008 at the hearing currently set for the motion.

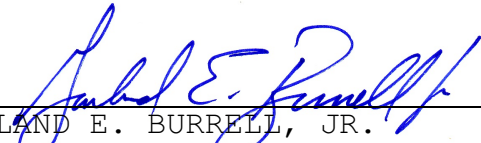
1 The parties agree, and the Court finds, that Ms. Pipkins is  
2 entitled to the benefit of the retroactive amendment reducing crack  
3 cocaine penalties, which reduces the applicable offense level from 33  
4 to 31.

5 IT IS HEREBY ORDERED that the term of imprisonment originally  
6 imposed is reduced to 108 months.

7 IT IS FURTHER ORDERED that all other terms and provisions of the  
8 original judgment remain in effect.

9 Unless otherwise ordered, Ms. Pipkins shall report to the United  
10 States Probation office closest to the release destination within  
11 seventy-two hours.

12 Dated: May 12, 2008

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15 GARLAND E. BURRELL, JR.  
16 United States District Judge  
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STIPULATION AND ORDER TO REDUCE SENTENCE